

**FIFTH DAY**

(January 11, 1962)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President Pro Tempore.

The roll was called and the following Senators were present:

Aikin	Lane
Baker	Martin
Calhoun	Moffett
Colson	Moore
Creighton	Owen
Crump	Parkhouse
Dies	Patman
Fuller	Ratliff
Hardeman	Reagan
Hazlewood	Rogers
Herring	Schwartz
Hudson	Secrest
Kazen	Spears
Krueger	Willis

Absent—Excused

Roberts	Weinert
Smith	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal approved.

**Leaves of Absence**

Senator Weinert was granted leave of absence for today on account of illness on motion of Senator Aikin.

Senator Smith was granted leave of absence for today on account of important business on motion of Senator Krueger.

Senator Roberts was granted leave of absence for today on account of illness on motion of Senator Aikin.

**Reports of Standing Committees**

Senator Parkhouse submitted the following reports:

Austin, Texas,  
January 11, 1962.

Hon. Charles Herring, President Pro Tempore of the Senate:

Sir: We, your Committee on Water and Conservation, to whom was

referred S. B. No. 22, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PARKHOUSE, Chairman.

Austin, Texas,  
January 11, 1962.

Hon. Charles Herring, President Pro Tempore of the Senate:

Sir: We, your Committee on Water and Conservation, to whom was referred S. B. No. 32, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PARKHOUSE, Chairman.

Senator Lane submitted the following report:

Austin, Texas,  
January 11, 1962.

Hon. Charles Herring, President Pro Tempore of the Senate:

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 27, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

**Senate Bills on First Reading**

The following bills were introduced, read first time and referred to the committee indicated:

By Senator Moore:

S. B. No. 36, A bill to be entitled "An Act placing certain restrictions upon the use of lands adjacent to and waters of Lake Palestine, Blackburn Crossing Dam and Reservoir in Anderson, Cherokee, Henderson and Smith Counties; delegating certain powers and authority to the Board of Directors of the Upper Neches River Municipal Water Authority; providing certain rules and regulations regarding swimming, bathing, wading, water skiing, the taking of fish, hunting, the shooting of firearms, and boating; providing penalties for the violation of the provisions of this Act and regulations promulgated thereunder; providing for severability; and declaring an emergency."

To the Committee on Game and Fish.

By Senator Schwartz:

S. B. No. 37, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, to be known as Brazoria County Water Control and Improvement District—Lake Alaska; declaring District a governmental agency, body politic and corporate; defining the boundaries; finding the field notes and boundaries form a closure, and related matters; finding a benefit to all land and other property within the District; finding that District is created to serve a public use and benefit; defining powers of District; conferring on District the rights, powers, privileges, authority, and duties of the general laws of Texas applicable to water control and improvement districts created under Article 16, Section 59, Constitution of Texas, where not in conflict with this Act and adopting same by reference; providing for no election for confirmation and no hearing for exclusions and no hearing on plan of taxation and adopting ad valorem plan of taxation for the District; authorizing District certain rights, powers and authority for and in connection with its systems, facilities, and other things necessary to the fulfillment of its purposes whether within or without the boundaries of the District but limited to Brazoria County, Texas, and related matters; providing for governing body of District; providing for qualifications and bonds of Directors; naming first Board of Directors; providing for terms and election of Directors; providing Directors to fill vacancies; providing for organization of Board of Directors; providing for employment of engineers, attorneys, fiscal agents, managers and employees; providing for sale and price of bonds; providing for exchange of bonds for property acquired or in payment of contract price for work done or materials or services furnished and providing for price of bonds in such exchange; providing for bonds or refunding bonds to be approved by Attorney General of Texas and registered by the Comptroller of Public Accounts and providing for negotiability, legality, validity, obligation and incontestability of the bonds or refunding bonds; and authorizing refunding bonds to be issued without concurrent surrender of underlying bonds and related matters; making

bonds or refunding bonds eligible investments; making inapplicable to the District certain provisions of Article 7880-77b, Vernon's Texas Civil Statutes, as amended; exempting property and bonds of the District from taxation and related matters; providing for an annual audit, fiscal year, and related matters, providing District shall bear expense of relocating, raising, or rerouting of any highway, railroad, utility lines, or pipelines made necessary by its exercise of the power of eminent domain; enacting other provisions related to the aforementioned subjects; providing for a severability clause; and declaring an emergency."

To the Committee on Water and Conservation.

By Senator Creighton:

S. B. No. 38, A bill to be entitled "An Act validating, ratifying, approving and confirming bonds heretofore authorized by any Home Rule City in the State of Texas, for the purpose of providing street and drainage improvements, or for the purpose of constructing new fire stations, and any and all proceedings pertaining to the authorization and issuance thereof; and authorizing the issuance, sale and delivery of such bonds; providing that this Act shall apply only to bonds authorized at an election or elections wherein a majority of the voting qualified property taxpaying voters who had duly rendered their property for taxation voted in favor thereof; providing that this Act shall not affect bonds or the proceedings relating to the authorization of bonds in litigation on the effective date of this Act, if such suit or litigation is ultimately determined against the validity of the proceedings or bonds; except in so far as same might be affected by any such City being engaged in a suit or litigation questioning the power of such City to annex territory wherein the validity of its Home Rule Charter and the authority of the governing body of such City to function under such Home Rule Charter may be contested or under attack; providing a savings clause; and declaring an emergency."

To the Committee on Jurisprudence.

By Senators Rogers and Hazlewood:

S. B. No. 39, A bill to be entitled "An Act amending Section 4 as added to Article 6050 of the Revised

Civil Statutes of Texas, 1925, by Chapter 31, Acts of the 53rd Legislature, 1st Called Session, 1954, so as to provide that the sale, transportation or delivery of natural gas for certain agricultural purposes or uses shall not alone constitute a person, association, corporation, trustee, receiver, or partnership a 'gas utility,' 'public utility' or 'utility' as defined by Article 6050 of the Revised Civil Statutes of Texas, 1925, but if such a person, association, corporation, trustee, receiver, or partnership is such a utility as defined elsewhere in Article 6050 by virtue of other activities and business engaged in by it, the sale, transportation, or delivery of natural gas by it for certain agricultural purposes or uses shall be subject to the jurisdiction, control and regulation of the Railroad Commission; repealing Section 4a of Article 6050; providing for severability; and declaring an emergency."

To the Committee on Agriculture and Livestock.

#### Reports of Standing Committee

Senator Rogers submitted the following reports:

Austin, Texas,  
January 11, 1962.

Hon. Charles Herring, President Pro Tempore of the Senate.

Sir: We, your Committee on Education, to whom was referred S. B. No. 17, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

ROGERS, Chairman.

Austin, Texas,  
January 11, 1962.

Hon. Charles Herring, President Pro Tempore of the Senate.

Sir: We, your Committee on Education, to whom was referred S. B. No. 18, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

ROGERS, Chairman.

#### Communication from the Governor

The President Pro Tempore laid before the Senate the following communication received from the Governor:

Wednesday,  
January 10, 1962.

As the Members of the Fifty-seventh Legislature, Third Called Session:

Reorganization of the State Board of Water Engineers along the pattern of the State Highway Commission, with engineering duties under a Chief Engineer, is one of the few important phases of water legislation which was not completed at the Regular Session. A bill for this purpose passed the House, but was not acted upon in the Senate.

I am now advised that Senator Parkhouse and Senator Spears in the Senate, and Representative Buchanan in the House, have introduced a bill which reconciles the differences encountered at the Regular Session and offers an opportunity to enact this important legislation at this session.

Therefore, I hereby submit the subject of reorganization of the State Board of Water Engineers and recommend the enactment of this legislation.

Respectfully submitted,

PRICE DANIEL,  
Governor.

The message was read and filed with the Secretary of the Senate.

#### Senate Bill 22 Ordered Not Printed

On motion of Senator Kazen and by unanimous consent S. B. No. 22 was ordered not printed.

#### House Resolution on First Reading

The following resolution received from the House, was read the first time and referred to the committee indicated:

H. C. R. No. 2, To the Committee on Jurisprudence.

#### Senate Bill 9 on Second Reading

Senator Parkhouse asked unanimous consent to suspend the regular order of business and take up S. B. No. 9 for consideration at this time.

There was objection.

Senator Parkhouse then moved to suspend the regular order of business and take up S. B. No. 9 for consideration at this time.

The motion prevailed by the following vote:

## Yeas—27

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hazlewood	Rogers
Herring	Schwartz
Hudson	Secrest
Kazen	Spears
Krueger	Willis
Lane	

## Nays—1

Hardeman

## Absent—Excused

Roberts	Weinert
Smith	

The President Pro Tempore laid before the Senate on its second reading and passage to engrossment:

S. B. No. 9, A bill to be entitled "An Act validating under certain conditions proceedings relating to the adoption of home rule charters, validating the charters so adopted, and providing that such charter so adopted shall constitute the home rule charter of the City; validating elections held for the election of members of the governing body of the city and their assumption of office; validating acts of city officers and officials; etc.; and declaring an emergency."

The bill was read second time.

Senator Parkhouse offered the following amendment to the bill:

Amend Senate Bill 9, Section 1, Line 2 by inserting after the word "city" and before the word "for" the following:

"In counties of 500,000 or more according to the last preceding Federal Census."

The amendment was adopted.

Senator Parkhouse offered the following amendment to the bill:

Amend Senate Bill No. 9, Section 1 by striking the period at the end of the last sentence of Section 1, and inserting in lieu thereof a comma and adding the following:

"except to the extent that such acts

have been heretofore invalidated by judgment of a court of competent jurisdiction or are hereafter so invalidated in litigation pending on the effective date of this Act."

The amendment was adopted.

On motion of Senator Parkhouse and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

## Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the passage of S. B. No. 9 to engrossment.

## Senate Bill 9 on Third Reading

Senator Parkhouse moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 9 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—27

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hazlewood	Rogers
Herring	Schwartz
Hudson	Secrest
Kazen	Spears
Krueger	Willis
Lane	

## Nays—1

Hardeman

## Absent—Excused

Roberts	Weinert
Smith	

The President Pro Tempore laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—26

Aikin	Baker
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Calhoun	Moffett
Colson	Moore
Creighton	Owen
Crump	Parkhouse
Dies	Patman
Fuller	Ratliff
Hazlewood	Reagan
Herring	Rogers
Hudson	Schwartz
Kazen	Secrest
Krueger	Spears
Lane	Willis

Nays—2

Hardeman      Martin

Absent—Excused

Roberts      Weinert  
Smith**Senate Bill 15 on Second Reading**

Senator Baker asked unanimous consent to suspend the regular order of business and take up S. B. No. 15 for consideration at this time.

There was objection.

Senator Baker then moved to suspend the regular order of business and take up S. B. No. 15 for consideration at this time.

The motion prevailed by the following vote:

Yeas—27

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hazlewood	Rogers
Herring	Schwartz
Hudson	Secrest
Kazen	Spears
Krueger	Willis
Lane	

Nays—1

Hardeman

Absent—Excused

Roberts      Weinert  
Smith

The President Pro Tempore laid before the Senate on its second reading and passage to engrossment:

S. B. No. 15, A bill to be entitled "An Act authorizing certain cities to issue revenue bonds for the purpose of establishing, improving, enlarging, extending or repairing the airport or airports thereof, including the acquisition of land therefor, and containing provisions relating to such bonds and the revenues pledged in payment thereof; authorizing the levy and pledge of ad valorem taxes to pay operation and maintenance expenses of such airport or airports and containing provisions relating to the use thereof; etc.; and declaring an emergency."

The bill was read second time and was passed to engrossment.

**Record of Votes**

Senators Hardeman and Martin asked to be recorded as voting "Nay" on the passage of S. B. No. 15 to engrossment.

**Senate Bill 15 on Third Reading**

Senator Baker moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 15 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Parkhouse
Creighton	Patman
Dies	Ratliff
Fuller	Reagan
Hazlewood	Rogers
Herring	Schwartz
Hudson	Secrest
Kazen	Spears
Krueger	Willis
Lane	

Nays—3

Crump      Owen  
Hardeman

Absent—Excused

Roberts      Weinert  
Smith

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—24

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Parkhouse
Creighton	Patman
Dies	Ratliff
Fuller	Reagan
Hazlewood	Rogers
Herring	Schwartz
Hudson	Secrest
Kazen	Spears
Krueger	Willis

## Nays—4

Crump	Martin
Hardeman	Owen

## Absent—Excused

Roberts	Weinert
Smith	

## Presentation of Guests

Senator Patman by unanimous consent presented as guests of the Senate today 20 members of the Home Demonstration Club of Calhoun County to the Members of the Senate.

## Report of Standing Committee

Senator Aikin by unanimous consent submitted the following report:

Austin, Texas,  
January 11, 1962.

Hon. Charles Herring, President Pro Tempore of the Senate:

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 33, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

## Senate Bill 22 on Second Reading

Senator Kazen asked unanimous consent to suspend the regular order of business and take up S. B. No. 22 for consideration at this time.

There was objection.

Senator Kazen then moved to suspend the regular order of business and take up S. B. No. 22 for consideration at this time.

The motion prevailed by the following vote:

## Yeas—27

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hazlewood	Rogers
Herring	Schwartz
Hudson	Secrest
Kazen	Spears
Krueger	Willis
Lane	

## Nays—1

Hardeman

## Absent—Excused

Roberts	Weinert
Smith	

The President Pro Tempore laid before the Senate on its second reading and passage to engrossment:

S. B. No. 22, A bill to be entitled "An Act creating Alice Water Authority, a conservation district, under Article 16, Section 59 of the Constitution, comprising the territory contained in the City of Alice, Texas, as of December 1, 1961, for the purpose of providing a source of water supply for municipal, domestic and industrial use and treating, transporting, and storing the same; providing for a Board of Directors for the Government of said Authority; etc.; and declaring an emergency."

The bill was read second time and was passed to engrossment.

## Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the passage of S. B. No. 22 to engrossment.

## Senate Bill 22 on Third Reading

Senator Kazen moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 22 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—27

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hazlewood	Rogers
Herring	Schwartz
Hudson	Secrest
Kazen	Spears
Krueger	Willis
Lane	

## Nays—1

Hardeman

## Absent—Excused

Roberts	Weinert
Smith	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—27

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hazlewood	Rogers
Herring	Schwartz
Hudson	Secrest
Kazen	Spears
Krueger	Willis
Lane	

## Nays—1

Hardeman

## Absent—Excused

Roberts	Weinert
Smith	

## Senate Bill 19 on Second Reading

Senator Willis asked unanimous consent to suspend the regular order of business and take up S. B. No. 19 for consideration at this time.

There was objection.

Senator Willis then moved to sus-

pend the regular order of business and take up S. B. No. 19 for consideration at this time.

The motion prevailed by the following vote:

## Yeas—26

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Dies	Patman
Fuller	Ratliff
Hazlewood	Reagan
Herring	Rogers
Hudson	Schwartz
Kazen	Secrest
Krueger	Spears
Lane	Willis

## Nays—2

Crump	Hardeman
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## Absent—Excused

Roberts	Weinert
Smith	

The President Pro Tempore laid before the Senate on its second reading and passage to engrossment:

S. B. No. 19, A bill to be entitled "An Act creating a Court of Domestic Relations for Tarrant County, Texas; etc.; and declaring an emergency."

The bill was read second time.

Senator Willis offered the following amendment to the bill:

Amend Senate Bill No. 19 by striking out all of Section 7 and substituting in lieu thereof the following:

"Sec. 7. At the next general election following the effective date of this Act there shall be elected the Judge of the Court of Domestic Relations of Tarrant County. The term of office shall be for a period of four (4) years. The first term shall commence on January 1, 1963. Thereafter, the Judge shall be elected as provided by the Constitution and Laws of the State for the election of District Judges. He shall be subject to removal from office for the same reasons and in the same manner as is provided by the Constitution and Laws of this State for removal of District Judges. Vacancies in the office shall be filled by appointment by the Governor."

On motion of Senator Willis and by unanimous consent the reading of the amendment was dispensed with and he explained the amendment.

The amendment was adopted.

On motion of Senator Willis and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

### Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the passage of S. B. No. 19 to engrossment.

### Senate Bill 19 on Third Reading

Senator Willis moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 19 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Dies	Patman
Fuller	Ratliff
Hazlewood	Reagan
Herring	Rogers
Hudson	Schwartz
Kazen	Secrest
Krueger	Spears
Lane	Willis

Nays—2

Crump Hardeman

Absent—Excused

Roberts Weinert  
Smith

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Colson
Baker	Creighton
Calhoun	Dies

Fuller	Owen
Hazlewood	Parkhouse
Herring	Patman
Hudson	Ratliff
Kazen	Reagan
Krueger	Rogers
Lane	Schwartz
Martin	Secrest
Moffett	Spears
Moore	Willis

Nays—2

Crump Hardeman

Absent—Excused

Roberts Weinert  
Smith

### Senate Concurrent Resolution 7 on Second Reading

On motion of Senator Hazlewood and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading the following resolution:

S. C. R. No. 7, Granting permission to Moorelane Company et al. to sue the State of Texas.

The resolution was read and was adopted.

### Senate Bill 32 Ordered Not Printed

On motion of Senator Schwartz and by unanimous consent S. B. No. 32 was ordered not printed.

### Senate Bill 33 Ordered Not Printed

On motion of Senator Schwartz and by unanimous consent S. B. No. 33 was ordered not printed.

### Senate Bill 31 on Second Reading

Senator Schwartz asked unanimous consent to suspend the regular order of business and take up S. B. No. 31 for consideration at this time.

There was objection.

Senator Schwartz then moved to suspend the regular order of business and take up S. B. No. 31 for consideration at this time.

The motion prevailed by the following vote:

Yeas—27

Aikin	Colson
Baker	Creighton
Calhoun	Crump



Dies	Owen
Fuller	Parkhouse
Hazlewood	Patman
Herring	Ratliff
Hudson	Reagan
Kazen	Rogers
Krueger	Schwartz
Lane	Secrest
Martin	Spears
Moffett	Willis
Moore	

## Nays—1

Hardeman

## Absent—Excused

Roberts	Weinert
Smith	

The President Pro Tempore laid before the Senate on its second reading and passage to engrossment:

S. B. No. 31, A bill to be entitled "An Act creating Brazoria County Road District No. 36, of Brazoria County, Texas, under authority of Section 52, Article III, Constitution of Texas, for the purpose of the construction, maintenance and operation of macadamized, graveled or paved roads and turnpikes, or in aid thereof; making it a body corporate and taxing district; describing the boundaries of said district and including provisions relating thereto; etc.; and declaring an emergency."

The bill was read second time and was passed to engrossment.

## Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the passage of S. B. No. 31 to engrossment.

## Senate Bill 31 on Third Reading

Senator Schwartz moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 31 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—27

Aikin	Dies
Baker	Fuller
Calhoun	Hazlewood
Colson	Herring
Creighton	Hudson
Crump	Kazen

Krueger	Ratliff
Lane	Reagan
Martin	Rogers
Moffett	Schwartz
Moore	Secrest
Owen	Spears
Parkhouse	Willis
Patman	

## Nays—1

Hardeman

## Absent—Excused

Roberts	Weinert
Smith	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—27

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hazlewood	Rogers
Herring	Schwartz
Hudson	Secrest
Kazen	Spears
Krueger	Willis
Lane	

## Nays—1

Hardeman

## Absent—Excused

Roberts	Weinert
Smith	

## Senate Bill 26 on Second Reading

On motion of Senator Owen and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 26, A bill to be entitled "An Act relating to and fixing minimum and maximum salary of the official shorthand reporter for the 109th Judicial District of Texas; and declaring an emergency."

The bill was read second time.

Senator Owen offered the following amendment to the bill:

Amend S. B. 26, Sec. 1, by inserting in line 20, of the printed bill following the the comma after the word "Winkler" the following:

"and for the Eighty-third (83rd) Judicial District of Texas composed of the Counties of Reagan, Upton, Pecos, Jeff Davis, Brewster and Presidio,"

OWEN  
HARDEMAN

On motion of Senator Owen and by unanimous consent the reading of the amendment was dispensed with and he explained the amendment.

The amendment was adopted.

On motion of Senator Owen and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

#### Senate Bill 26 on Third Reading

Senator Owen moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 26 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hazlewood	Rogers
Herring	Schwartz
Hudson	Secrest
Kazen	Spears
Krueger	Willis
Lane	

Absent

Hardeman

Absent—Excused

Roberts                  Weinert  
Smith

The President Pro Tempore then

laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hazlewood	Rogers
Herring	Schwartz
Hudson	Secrest
Kazen	Spears
Krueger	Willis
Lane	

Absent

Hardeman

Absent—Excused

Roberts                  Weinert  
Smith

#### Senate Bill 7 on Second Reading

On motion of Senator Patman and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 7, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59, Article XVI, Constitution of Texas, to be known as 'Pettus Municipal Utility District'; etc., and declaring an emergency."

The bill was read second time and passed to engrossment.

#### Senate Bill 7 on Third Reading

Senator Patman moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 7 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Colson
Baker	Creighton
Calhoun	Crump

Dies	Owen
Fuller	Parkhouse
Hazlewood	Patman
Herring	Ratliff
Hudson	Reagan
Kazen	Rogers
Krueger	Schwartz
Lane	Secrest
Martin	Spears
Moffett	Willis
Moore	

Absent

Hardeman

Absent—Excused

Roberts	Weinert
Smith	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hazlewood	Rogers
Herring	Schwartz
Hudson	Secrest
Kazen	Spears
Krueger	Willis
Lane	

Absent

Hardeman

Absent—Excused

Roberts	Weinert
Smith	

**Senate Bill 30 on Second Reading**

On motion of Senator Schwartz and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 30, A bill to be entitled "An Act providing the mode of election of certain school trustees in all counties containing a population of not less than seventy-five thousand

(75,000) and not more than eighty thousand (80,000) according to the last preceding Federal Census; and declaring an emergency."

The bill was read second time and passed to engrossment.

**Senate Bill 30 on Third Reading**

Senator Schwartz moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 30 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hazlewood	Rogers
Herring	Schwartz
Hudson	Secrest
Kazen	Spears
Krueger	Willis
Lane	

Absent

Hardeman

Absent—Excused

Roberts	Weinert
Smith	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hazlewood	Rogers
Herring	Schwartz
Hudson	Secrest
Kazen	Spears
Krueger	Willis
Lane	

## Absent

Hardeman

## Absent—Excused

Roberts  
Smith

Weinert

## Senate Bill 32 on Second Reading

On motion of Senator Schwartz and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 32, A bill to be entitled "An Act re-establishing and recreating Angleton Drainage District of Brazoria County, Texas, as 'Angleton Drainage District' subject to the provisions of this Act, etc.; and declaring an emergency."

The bill was read second time and passed to engrossment.

## Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the passage of S. B. No. 32 to engrossment.

## Senate Bill 32 on Third Reading

Senator Schwartz moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 32 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—27

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hazlewood	Rogers
Herring	Schwartz
Hudson	Secrest
Kazen	Spears
Krueger	Willis
Lane	

## Nays—1

Hardeman

## Absent—Excused

Roberts  
Smith

Weinert

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—27

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hazlewood	Rogers
Herring	Schwartz
Hudson	Secrest
Kazen	Spears
Krueger	Willis
Lane	

## Nays—1

Hardeman

## Absent—Excused

Roberts  
Smith

Weinert

## Senate Bill 33 on Second Reading

Senator Schwartz asked unanimous consent to suspend the regular order of business and take up S. B. No. 33 for consideration at this time.

There was objection.

Senator Schwartz then moved to suspend the regular order of business and take up S. B. No. 33 for consideration at this time.

The motion prevailed by the following vote:

## Yeas—27

Aikin	Kazen
Baker	Krueger
Calhoun	Lane
Colson	Martin
Creighton	Moffett
Crump	Moore
Dies	Owen
Fuller	Parkhouse
Hazlewood	Patman
Herring	Ratliff
Hudson	Reagan

Rogers  
Schwartz  
Secrest

Spears  
Willis

#### Nays—1

Hardeman

Absent—Excused

Roberts  
Smith

Weinert

The President Pro Tempore laid before the Senate on its second reading and passage to engrossment:

S. B. No. 33, A bill to be entitled "An Act re-establishing and re-creating Velasco Drainage District of Brazoria County, Texas, as 'Velasco Drainage District' subject to the provisions of this Act; etc.; and declaring an emergency."

The bill was read second time and passed to engrossment.

#### Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the passage to S. B. No. 33 to engrossment.

#### Senate Bill 33 on Third Reading

Senator Schwartz moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 33 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—27

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hazlewood	Rogers
Herring	Schwartz
Hudson	Secrest
Kazen	Spears
Krueger	Willis
Lane	

#### Nays—1

Hardeman

Absent—Excused

Roberts  
Smith

Weinert

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

#### Yeas—27

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hazlewood	Rogers
Herring	Schwartz
Hudson	Secrest
Kazen	Spears
Krueger	Willis
Lane	

#### Nays—1

Hardeman

Absent—Excused

Roberts  
Smith

Weinert

#### Welcome Resolutions

S. R. No. 15, By Senator Moffett: Extending welcome to Messrs. Merick McGaughey, et al.

#### Adjournment

Senator Hardeman moved that the Senate stand adjourned until 10:30 o'clock a.m. Monday, January 15, 1962.

Senator Patman moved that the Senate stand recessed until 10:30 o'clock a.m. tomorrow.

Question first on the motion by Senator Hardeman to adjourn until 10:30 o'clock a.m. Monday, the motion prevailed.

Accordingly the Senate at 11:41 o'clock a.m. adjourned until 10:30 o'clock a.m. Monday, January 15, 1962.

#### Record of Vote

Senators Moffett, Colson, Willis, Krueger, Secrest, Patman and Kazen asked to be recorded as voting "Nay" on the motion to adjourn.